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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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11/23/85, 403 18-12/87 65-00

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EXAMINER

ART UNIT

PAPER NUMBER

DATE MAILED:

12/23/89

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.  
08/865,403

Applicant(s)  
Asano

Examiner  
Nga B. Nguyen

Group Art Unit  
2164

☒ Responsive to communication(s) filed on Sep 20, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 9 and 17-68 is/are pending in the application

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☐ Claim(s) \_\_\_\_\_ is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☒ Claims 9 and 17-68 are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2164

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 9, 17-25, 37-46, and 53-62, drawn to a method for providing service to a user via a network, classified in class 705, subclasses 26 and 53.
  - II. Claims 26-29, 47-50, and 63-66, drawn to a method for accounting for a fee concerning service provided to a user by a service provider, classified in class 705, subclass 39 and 75 .
  - III. Claims 30-36, 51-52, and 67-68, drawn to a method for requesting service of a service provider and storing service request and digital signature in a storage medium, classified in class 705, subclasses 17 and 41.

2. The inventions are distinct, each from the other because of the following reasons:

Inventions are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. See MPEP § 806.05(d). In the instant case, invention has separate utility such as .

Inventions I and II have separate utility such as: the invention I drawn to the steps of receiving a service request and digital signature generated based on service from a user; providing the service to the user; requesting a charge collection from an accounting terminal and providing service request and digital signature to accounting terminal, in contrast, the invention II drawn to the step of verifying validity of the charge based on service request and digital signature when an objection to the fee is received from the user. Therefore, the invention I and II are shown to be separately usable.

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Inventions I and III have separate utility such as: the invention I drawn to the steps of receiving a service request and digital signature generated based on service from a user; providing the service to the user; requesting a charge collection from an accounting terminal and providing service request and digital signature to accounting terminal, in contrast, the invention III drawn to the step of storing service request and digital signature in a storage medium, and when the user objects to a charge, the user submits storage medium to accounting terminal. Therefore, the invention I and III are shown to be separately usable.

Inventions II and III have separate utility such as: the invention II drawn to the step of drawn to the step of verifying validity of the charge based on service request and digital signature when an objection to the fee is received from the user, in contrast, the invention III drawn to the step of storing service request and digital signature in a storage medium, and when the user objects to a charge, the user submits storage medium to accounting terminal. Therefore, the invention II and III are shown to be separately usable.

3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

4. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen, whose telephone number is (703)306-2901. The examiner can normally be reached on Monday-Thursday from 7:30 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent A. Millin, can be reached on (703)308-1065.

Nga B. Nguyen



November 29, 2000



VINCENT MILLIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100